

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

- V - :

ROBERTO ORTIZ :

Defendant. :

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**NOTICE OF MOTION**

**07 Cr. 366 (JSR)**

**PLEASE TAKE NOTICE** that upon the annexed affirmation of **ROBERT M. BAUM, ESQ.**, the defendant herein, **ROBERTO ORTIZ**, will move before the **HONORABLE JED S. RAKOFF**, United States District Judge for the Southern District of New York, at the United States Courthouse located at 500 Pearl Street, New York, New York, on June 13, 2007, for an Order, pursuant to Rule 12(b)(3)(C) of the Federal Rules of Criminal Procedure, and the Fourth and Fifth Amendments to the United States Constitution, suppressing physical evidence and statements and granting such other relief as the Court may deem just and proper.

Dated: New York, New York  
June 11, 2007

Respectfully submitted,  
LEONARD F. JOY, ESQ.  
Federal Defenders of New York

By:

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**ROBERT M. BAUM, ESQ.**  
Attorney for Defendant  
**ROBERTO ORTIZ**  
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New York, New York 10007

TO: MICHAEL J. GARCIA, ESQ.  
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Assistant United States Attorney